STATE OF CALIFORNIA
PIU 2
(Rev. 04/2021)

DEPARTMENT OF JUSTICE

CONSUMER COMPLAINT AGAINST A BUSINESS/CORPORATION

Please read the Information Collection, Use and Access notice on page 3.

Rob Bonta
Attorney General

PUBLIC INQUIRY UNIT
(916) 210-6276 / (800) 952-5225 Toll Free - CA only
TTY/TDD (800) 735-2929 (California Relay Service)
For TTY/TDD outside California contact your state's relay service number at http://www.fcc.gov/cgb/dro/trsphonebk.html
AG Web Site: http://www.oag.ca.gov/

Mail Form to:

Public Inquiry Unit
Office of the Attorney General
P.O. Box 944255
Sacramento, CA 94244-2550

Print Form | Save Form | Reset Form

SECTION 1 - Your Information

First Name	MI	Last Name
Deepak		Moorjani

Mailing Address	City	State	Zip Code
531 Lasuen Mall	Palo Alto	CA	94309-8685

County of Residence	Country, if not U.S.	Day Phone Number	Cell Phone Number	E-Mail Address
confidential		confidential	confidential	confidential

Do you have a disability? (optional) ☐ Yes ☐ No

Age Range (optional):
☐ 12 & under ☐ 13-17 ☐ 18-19 ☐ 20-29 ☐ 30-39 ☐ 40-49 ☐ 50-59 ☐ 60-69 ☐ 70-79 ☐ 80 & over

Are you a member of the U.S. Armed Forces or a dependent? (optional)
☐ Yes ☐ No

If yes, please specify your military status:
☐ Active Duty Service Member ☐ Dependent Spouse - Service Member
☐ Dependent Child/Other - Service Member ☐ DoD Civilian ☐ Dependent Spouse - DoD Civilian
☐ Dependent Child/Other - DoD Civilian ☐ Military Retiree/Veteran
☐ Reserve Not on Active Duty/National Guard

SECTION 2 - Information About Company Against Which You Are Complaining

Full Name of Company
Laura Waters Living Trust U/A dtd 8/18/15

Mailing Address
746 Saint Marys Road

City	State	Zip Code	Country, if not U.S.
Lafayette	CA	94549	

Company's Internet Address (URL)	E-Mail Address

Telephone Number	Fax Number

SECTION 3 - Complaint Information

Product, item or service involved
Sublease of residential space.

Date of Transaction	Account Number (if applicable)
September 26, 2018	

Total amount paid	Amount in dispute	How was payment made:
		☐ Cash ☐ Check ☐ Credit Card ☐ Debit Card ☐ Money Order ☐ Wire Transfer ☐ Finance Agreement ☐ Other _____

Did you sign a contract or lease?	Where was the contract signed?	Starting date	Expiration date
☒ Yes ☐ No	Picante Berkeley	November 01, 2018	

Date you complained to the company or individual	Person Contacted	His/Her phone number
Multiple ☒ By Mail ☐ By Telephone ☐ In Person	Laura Jean Waters, Trustee	

Results
Pending

What result would you consider fair?

Have you contacted another agency about this? ☒ Yes ☐ No
If yes, name of agency
Internal Revenue Service; California Franchise Tax Board; City of Berkeley

Do you have an attorney in this case?	If yes, name of your attorney	Attorney's Phone Number
☐ Yes ☐ No		

Has your complaint been heard or is it scheduled to be heard in court? ☐ Yes ☐ No

If yes, where and when?

If already heard, what was the result?

PLEASE DESCRIBE COMPLAINT ON NEXT PAGE

CONSUMER COMPLAINT AGAINST A BUSINESS/CORPORATION

Rob Bonta
Attorney General

SECTION 4 - Information About the Transaction

How was initial contact made between you and the business?

- ☐ Person came to my home
- ☐ I went to company's place of business
- ☐ I received a telephone call from business
- ☐ I telephoned the business
- ☐ I received information in the mail
- ☐ I responded to a radio/television ad
- ☐ I responded to a printed advertisement
- ☐ I responded to a website or e-mail solicitation
- ☐ I received a fax solicitation
- ☐ I attended a trade show or convention
- ☒ Other Referral from Anita Medal

Where did the transaction take place?

- ☐ At my home
- ☐ At company's place of business
- ☐ By mail
- ☐ Over the phone
- ☐ Via computer (website or e-mail)
- ☐ Trade show or convention
- ☐ Other _____

SECTION 5 - Important Information

- If the complaint falls within the jurisdiction of another local, state or federal agency, you will be provided with appropriate referral information. In addition, the complaint may be shared with other government agencies.
- Please include copies of any supporting documents you may have, such as correspondence, contracts, invoices, receipts, etc. Do not send originals.
- This office does not have the authority to give private legal advice or provide private legal representation to individual consumers.

SECTION 6 - Details of Complaint (use additional sheets if necessary)

Please see Supplemental Statement with attachments.

Petitioner sends this CCPA Petition to Cindy Frazier Bilsborough (SBN 99681)

for delivery to Laura Waters, Trustee of the Laura Waters Living Trust U/A dtd 8/18/15.

SECTION 7 - Statement

I affirm that the information herein is true and accurate, and will sign a statement if needed.	☒ YES ☐ NO
You may send this complaint to the party named. By filing this complaint, I hereby give the business complained about my consent to communicate, including disclosure of non-public personal information, with the Office of the Attorney General about any and all matters connected with this complaint.	☒ YES ☐ NO

Signature: DM **Date:** April 03, 2025

a memo from the desk of

Deepak Moorjani

Laura Waters, Trustee
Laura Waters Living Trust U/A dtd 8/18/15
746 Saint Marys Road
Lafayette, CA 94549

to: Laura Waters, Trustee of the Laura Waters Living Trust U/A dtd 8/18/15

cc: Cindy Frazier Bilsborough (California Bar No. 99681)

cc: Office of the Alameda County District Attorney

cc: Office of the California Attorney General

cc: Office of the Chief Trial Counsel of the State Bar of California

subject: Petitioner's Requests (4)

Incorporated by Reference

1. Motion to Disqualify Attorney John Alessio and the Law Firm of Procopio, Cory, Hargreaves & Savitch LLP.
2. https://tinyurl.com/laura-waters-six
3. Request to Adult Protective Services to investigate John Alessio (California Bar No. 174900) for Elder Abuse.
4. https://tinyurl.com/laura-waters-eight
5. CCPA Notification to James Maser and Maiz Holding Company (dba Picante).
6. https://tinyurl.com/laura-waters-seven
7. City of Berkeley, Police Department, Case Number 022-00059494 (December 20, 2022).
8. https://tinyurl.com/laura-waters-four
9. City of Berkeley, Housing Code Enforcement, Case Number H2023-00126 (February 27, 2023).
10. https://tinyurl.com/laura-waters-two
11. City of Berkeley, Environmental Health Division, Confirmation of Rodent Infestation (February 23, 2023).
12. https://tinyurl.com/laura-waters-three
13. CCPA Notification to Attorney Michael Ferguson (SBN 42797) and the Law Firm of Ferguson & Berlund P.C.
14. https://tinyurl.com/laura-waters-nine

Attachments

15. Michael Cohrs Exhibit 43: Email to Michael Cohrs in London (February 08, 2007).
16. Michael Cohrs Exhibit 52: Email to Richard Walker in New York (May 09, 2007).
17. James Maser and Maiz Holding Company (dba Picante), Sales Report (October 31, 2019).

18. Notification to the Berkeley Police Department on James Maser (August 14, 2022).
19. Notification to James Maser and Jennifer Sherman (October 27, 2022).
20. Cease and Desist Letter to James Maser and Jennifer Sherman (November 17, 2022).
21. Cease and Desist Letter to James Maser and Jennifer Sherman (December 20, 2022).
22. Berkeley Police Department Case Number 022-00059494 (December 20, 2022)
23. Cease and Desist Letter to Hector Saldana and H&X Builders (January 13, 2023).
24. Notification to James Maser and Laura Waters on Forced Eviction (January 28, 2023).
25. Notification to the City of Berkeley on Rodent Infestations (February 22, 2023).
26. Notification to the IRS and the California Franchise Tax Board (Form 3949-A)(February 10, 2025).
27. Supplementary Statement to the IRS Form 3949-A (Information Referral)(February 10, 2025).
28. Notification to the USPS Postal Inspection Service (1)(January 31, 2023).
29. Request to Meet and Confer with Laura Waters (February 07, 2023).
30. Notification to the City of Berkeley's Police Department (February 10, 2023).
31. Notification to USPS Postal Inspection Service (2)(February 10, 2023).
32. Notification to Brian Wong (SBN 184126) and PG&E (February 12, 2023).

Deepak Moorjani (Petitioner) attaches this Supplemental Statement to the CCPA Petition to Laura Waters, Trustee of the Laura Waters Living Trust U/A dtd 8/18/15. (April 3, 2025). This Supplement Statement includes requests on the following: (i) Personal Data; (ii) Maiz Holding Company (dba Picante); (iii) Maser Representations; and (iv) California Probate Code.

(i) Personal Data

33. Petitioner requests Laura Waters and the Laura Waters Living Trust U/A dtd 8/18/15 to delete Petitioner's personal data from their databases.
    33.1. to confirm that Petitioner disclosed his personal data to Laura Waters and the Laura Waters Living Trust U/A dtd 8/18/15 in his request to meet and confer with Laura Waters (February 07, 2023).
    33.2. to clarify the relationship between the following entities: (i) Laura Waters Living Trust U/A dtd 8/18/15; (ii) James E. and Laura Maser Living Trust U/A dtd 4/25/91 Living Trust; and (iii) James E. Maser Living Trust U/A dtd 8/17/15.
    33.3. to confirm the date on which James Maser and Maiz Holding Company (dba Picante) complied with Petitioner's personal data deletion request (December 01, 2022).

(ii) Maiz Holding Company (dba Picante)

34. Petitioner requests Laura Waters and the Laura Waters Living Trust U/A dtd 8/18/15 to authenticate the attached Sales Report as a true and correct copy of internal accounting by James Maser and Maiz Holding Company (dba Picante). (October 31, 2019).
    34.1. to state whether James Maser or Maiz Holding Company (dba Picante) provide free meals to law enforcement as payment in exchange for influence, bias, direction of an investigation or enforcement of punishable offenses.
    34.2. to confirm James Maser's statement on January 19, 2023: “The police know this guy is crazy, and he's the start of it since the beginning . . . I have very good relationships with the police.”

(iii) Maser Representations

35. Petitioner requests Laura Waters and the Laura Waters Living Trust U/A dtd 8/18/15 to confirm the accuracy of representations by James Maser, Trustee of the James E. Maser Living Trust U/A dtd 8/17/15 (Exhibit C).

(iv) California Probate Code

36. Petitioner requests Laura Waters and the Laura Waters Living Trust U/A dtd 8/18/15 to confirm receipt of IRS Form 3949-A with the Internal Revenue Service and the California Franchise Tax Board.
    - 36.1. to state whether Laura Waters has a fiduciary duty to act in the best interests of the trust and its beneficiaries.
    - 36.2. to confirm James Maser's admissions of residency fraud (e.g. false affidavits of residency, forged utility bills).
    - 36.3. to deliver documentation of James Maser's residency fraud to law enforcement, prosecutors and lenders (e.g. Bank of America).
    - 36.4. to state whether James Maser's admissions of criminal fraud (residency fraud) create a reasonable basis to investigate for bank fraud, mortgage fraud, real estate fraud, mail fraud or wire fraud.
    - 36.5. to state whether James Maser's representations on his criminal history in drug trafficking is material to potential investigations.
    - 36.6. to confirm knowledge that the Berkeley Police identified James Maser as the suspect in the battery incident at the Picante Berkeley complex on December 20, 2022 (Berkeley Police Department Case. No. 2022-00059494). California Penal Code Section 242 defines battery as the willful and unlawful use of force or violence upon another person.
    - 36.7. to state whether James Maser's physical violence should be construed as an attempt to coverup financial crimes.
    - 36.8. to state whether Laura Waters has demonstrated inaction and whether any inaction has created liability for negligence or breach of fiduciary duty.
    - 36.9. to state whether the master lease is voidable and whether the failure to void the master lease implies complicity with criminal activity.
    - 36.10. to state whether Laura Waters or the Laura Waters Living Trust U/A dtd 8/18/15 will support the investigation and prosecution of James Maser for criminal activity.

Petitioner requests Laura Waters and the Laura Waters Living Trust U/A dtd 8/18/15 to provide corrections for any errors or omissions to (i) statements made in this CCPA Petition; (ii) documents incorporated by reference; and (iii) documents attached to this CCPA Petition.

Petitioner requests Laura Waters and the Laura Waters Living Trust U/A dtd 8/18/15 to deliver answers to Petitioner's Requests to the following parties: (i) Bank of America Corporation; (ii) California Contractors State License Board; (iii) California Franchise Tax Board; (iv) City of Berkeley's Housing Code Enforcement; (v) City of Berkeley's Police Department; (vi) City of Berkeley's Rent Board; (vii) Internal Revenue Service; (viii) Mortgage Capital Development Corporation; (ix) Office of the Alameda County District Attorney; (x) Office of the California Attorney General; (xi) Office of the Chief Trial Counsel of the State Bar of California; and (xii) United States Postal Service Postal Inspection Service.

Exhibit A: Statement by Nancy Yamaguchi (California Bar No. #213143)

"Hi Kenji -- hope you are doing well. I've been busy going back and forth between Europe and Silicon Valley lately, and I've been spending a lot of time in London and Frankfurt. Too bad my new job does not take me to Japan. Most of the work has been in Europe. I'm enjoying the new job and feel that my decision to leave Jones Day was a good one. Recently, I was promoted to be the senior M&A lawyer for my company, and it has been great working closely with the executives as well as various outside counsel. At Jones Day, my mentors were the partners that I worked for, but at my current job, the Chief Legal Officer is an amazingly gifted lawyer and I have the chance to work with top partners at many different law firms.

Are you still at Deutsche Bank? It seems like a great opportunity, and I hope that you are having fun. It's great that you are helping Deepak there. He is a successful venture capitalist in Silicon Valley and well-connected international business player. At some point, I expect that he will be back in California and restart his venture capital/private equity and M&A practice. He is a very smart guy and will be an important technology leader and dealmaker, so I'm sure he will remember your supporting him at Deutsche Bank. You should also continue building the relationship with Deepak because you may want to work with him in Silicon Valley or other international markets in the future. I would be excited to see both you and Deepak here in California.

I also want to congratulate you for upholding justice and acting with utmost professional integrity. It is essential that international lawyers like you and me do the right thing. Now that I am inside a company, I am frequently preventing business people from doing what they want, but I have a professional and ethical duty to force them to take legal compliance seriously, and it can get difficult sometimes. I believe that in the end, justice will always prevail and wrongdoers eventually fall -- a good example is Enron and all of the executives and investment bankers who are now going to jail and whose careers are ruined for life. I personally saw a lot of this happening when I worked on a SEC investigation of certain accounting practices at telecommunication/Internet companies. It was alarming to see many lawyers and accountants lose their jobs and careers, but also the civil and criminal penalties were severe.

As lawyers, our first and foremost professional obligation is to advise business people to follow the law and to act in a fair and just manner. Legal compliance is not always easy, but that is our job and we chose to become lawyers. If we take the easy road and simply follow the business people's desires, we would fail as lawyers and have no choice but to resign. Such professional failure would also result in losing the license to practice law or disbarment, and definitely a loss of professional credibility and careers. In any case, I'm glad to see that you are doing the right thing by helping Deepak and please continue to help him -- of course, it is your professional duty as a lawyer, but I also want you to know that I appreciate and respect you for it."

. . . . . .

Exhibit B: Petition to Office of the Chief Trial Counsel of the State Bar of California (Excerpt)

Conflicts of Interest

Gregg Vignos	Anthony Kennedy	Frank Jacobs	John Alessio
California Bar #100423	*California Bar #32544*	*Ohio Bar #11310*	*California Bar #174900*
Pillsbury Winthrop	*Deutsche Bank*	*Eastman & Smith*	*Procopio*

- **John Stevens Sheldon (Stevens Family Trust)**: "Deepak has somewhat limited patience with individuals who struggle with the complexities of multidimensional analytical challenges."
- **Theresa Guy (Pillsbury Winthrop)**: "As members of the California Bar, we may not represent conflicting interests except with the informed written consent of all clients concerned."
- **Chief Justice Thomas Moyer (Ohio Supreme Court)**: "I would suspend Frank Jacobs for six months and stay the suspension on the condition that he commit no further misconduct during that term." (Source: *Disciplinary Counsel v. Frank Jacobs, 109 Ohio St.3d 252, 2006-Ohio-2292*.)
- **Leo Hindery Jr. (former CEO, Global Crossing Ltd.)**: "Dear Deepak, Ironically, I was just admitted last week, and it really is an honor, which I highly recommend to you. The Council would be lucky to have you, and vice versa, especially as your career is still at a relatively young stage. In other words, go for it. As for Morgan Stanley, make sure your orbit includes both Paul Taubman and Jeff Hogan, who are decent, bright and clear leaders of the next generation of the Firm. Always let me know if you are coming to New York. Kindest regards, Leo"
- **Jun Makihara (Neoteny Ltd.)**: "My college roommate and best friend (Michael Cohrs) is head of Deutsche Bank's Investment Bank, of which you would be a part, but that gives me no insight into their strategy, etc. Lehman, I think, is a better overall firm, but joining Deutsche Bank might allow you more leeway to build a business . . ."
- **Michael Cohrs (Deutsche Bank)**: "At the beginning of the meeting, Deepak was concerned why Legal, HR and Compliance have his letter to Michael Cohrs. Kimura-san explained the letter was sent to Global Head of Legal (Richard Walker) from Michael Cohrs as business is not able to make any investigation for his case, and then legal called HR for Compensation and other issue, and Compliance for FSA issue to this meeting. It is also mentioned that this case is handled as "strictly confidential" basis and no one has any knowledge about it except for Mitchell Mason (Tokyo), Henry Ritchotte (Tokyo) and relevant regional head of HR (Rachel Blanshard, Singapore), Legal (Mark Grolman, Sydney) and Compliance (Andrew Hume, Singapore)." (Michael Cohrs Exhibit 14)
- **Mark Grolman (Deutsche Bank Australia)**: "Below are draft notes of the interview I had with Frank Forelle yesterday . . . when Deepak Moorjani returns to Tokyo from the US next week, we press him again to produce all evidence he has of any alleged violations or wrongdoing . . . agree a letter to Mr. Moorjani in response to his letter. I suggest that this letter be signed by David Hatt as President and CEO of DSI (the employer of Mr. Moorjani). David Hatt has been briefed on this matter. I will draft the response letter for your review. Once agreed, that letter should be delivered to Mr. Moorjani. I also propose giving the draft notes of meetings to Frank Forelle to check for accuracy." (to Richard Walker, Deutsche Bank, New York) (Michael Cohrs Exhibit 52)

Exhibit B: Petition to Office of the Chief Trial Counsel of the State Bar of California (Continued)

Conflicts of Interest

Gregg Vignos	Anthony Kennedy	Frank Jacobs	John Alessio
California Bar #100423	*California Bar #32544*	*Ohio Bar #11310*	*California Bar #174900*
Pillsbury Winthrop	*Deutsche Bank*	*Eastman & Smith*	*Procopio*

- **Julia Bates (Lucas County Prosecutor)**: "Tony Pizza was a hero. He was a tremendous mentor. He was a fierce fighter of crime. He was loving to his family. I guess his legacy is incredible. His legacy will survive as one of greatness, an advocate of victims, and truly a scholar of law." (June 20, 2007)
- **Deepak Moorjani (venture capitalist):** "In my estimation, we will announce at least $10-15 billion in write-downs related to our credit exposure in a twelve month period. For Deutsche Bank, the status quo is no longer acceptable, as these large losses have increased and will increase scrutiny into our performance. Shareholders should call for greater accountability, especially relating to Deutsche Bank management." (May 14, 2008)
- **Kerstin Kohlenberg (Die Zeit)**: "Hi Deepak, oh yes, I read them and after that went to your scribd-page and read everything that is there. What you discovered at Deutsche Bank in regards to almost 100 percent loans and the connection to bonuses is exactly what apparently happened at Hypo Real Estate (only that they offered 160 percent commercial real estate loans which in German is actually against the law. I am researching that story right now) so I am a little familiar with the topic. I just did a story about Angela Merkel and her advisers and how badly their bank-overview functions. (http://www.zeit.de/2009/15/DOS-Kanzleramt) I believe what you discovered in a heartbeat. I think your demands for better risk management and a different incentive structure need more audience - and connected with that very case that you are presenting, it would make a big, big story. I write 8000 word features (kind of like a New York Times Magazine Story) and I would very much write about you and the case you are making. There are a lot of people out there that demand change, but there is you who can show how rotten the system still is, and how the managers say one thing to the media and something else to people like you. The fact that your letter was cc'd to Angela Merkel makes it even more interesting, because I could confront her with it, and ask about her real interests in changing the system (like she said on the G20 summit). So any clue when you will be back in New York? Kerstin"
- **Deepak Moorjani (venture capitalist)**: "I would like Adult Protective Services of San Diego to investigate John Alessio (Bar No. 174900) for elder abuse. As a member of the California bar, John Alessio is currently the managing partner of Procopio, Cory, Hargreaves & Savitch, LLP ("Procopio"). John Alessio and Sunil Moorjani are former classmates at the University of San Diego Law School ('94), and John Alessio may have allowed a personal relationship to compromise his legal judgment. As a member of the California bar, John Alessio should have recognized the conflict of interest, and he should have declined to represent the defendants. The attached Notification: Suicide Risk is dated January 10, 2019, and this letter was sent via certified mail to Rosemarie Osowik, MD with a cc: to Jennifer Compton of Sun Federal, Louise Jackson of Eastman & Smith, and Sunil Moorjani. Additionally, this letter was sent via certified mail to Thomas Osowik, a judge in the Ohio Sixth District Court of Appeals."

Exhibit C:

Representations by James Maser, Trustee of the James E. Maser Living Trust U/A dtd 8/17/15

37. James Maser has a history of assaultive behaviors towards authority figures.
38. James Maser was expelled from high school.
39. James Maser had a successful career in drug trafficking.
40. James Maser has former colleagues who are serving life sentences in jail.
41. James Maser has previously faced criminal charges.
42. James Maser had an affair with Barbara (redacted) during his marriage to Laura Waters.
43. James Maser forced Laura Waters to initiate divorce proceedings.
44. Laura Waters bullied James Maser in divorce proceedings.
45. James Maser delayed divorce proceedings for nearly six years.
46. James Maser forced Laura Waters to spend "several hundred thousand dollars" in legal expenses.
47. James Maser forced Alice Waters to close Cafe Fanny, because Laura Waters wanted "100% of everything."
48. James Maser discarded Emilie Medal-Katz, because "she is not blood."
49. James Maser and Maiz Holding Company (dba Picante) are committing criminal fraud (residency fraud).

乙第四三号証 6-1

(2) Deepak Moorjani
02/08/2007 03:09 PM

To: Michael Cohrs/DMGIB/DMG UK/DeuBa@DBEMEA
cc:
Subject: Via Jun

Hi Michael,

Yes, I was. Bonus day turned into a bigger distraction than imagined. Apologies for the delay.

I've convinced the sponsor of a large JREIT to go private in an MBO transaction. It's fairly large transaction ($1.7-1.8 billion), and if necessary, I would like to get your advice if we hit any major hiccups. Currently, we do not have any major issues, but I wanted to introduce myself well in advance in the event that I need some advice.

Thank you.

Deepak Moorjani
Deutsche Securities Inc.

Sanno Park Tower | 2-11-1 Nagata-cho | Chiyoda-ku, Tokyo 100-6171
+813.5156.7403 t | +813.5156.6884 f | deepak.moorjani@db.com

Michael Cohrs/DMGIB/DMG UK/DeuBa@DBEMEA

(1) Michael Cohrs/DMGIB/DMG UK/DeuBa@DBEMEA
02/05/2007 10:54 PM

To Deepak Moorjani/db/dbcom@DBAPAC
cc
Subject

I think you were trying to reach me--how can I help?

乙第五二号証の一

(2) Daiki Kajino/db/dbcom
2007/05/09 19:19

To Tomohiko Kimura/Tokyo/DBJapan/DeuBa@DBAPAC
cc
bcc
Subject Fw: Staff – Privileged & Confidential

Kimura-san

As we discussed in this morning, I explained the current situation to Murakami-san in HR.
After that, I arranged conference call with Sunil Madan and it is already fixed on tomorrow at 17:00 (Tokyo Time).
Murakami-san and I will have a conference call with him and ask him about our concerns.
If you need to join it, please let me know.

As to investigation of Frank's e-mail for Pipeline issue, I will start it as soon as I obtain Mitch's approval.

Regards,

☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆
Daiki Kajino (梶野 大毅)
Compliance Department
Deutsche Bank AG, Tokyo Branch
Tel : +81-3-5156-7738
Fax: +81-3-5156-6006
daiki.kajino@db.com
☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆

----- Forwarded by Daiki Kajino/db/dbcom on 2007/05/09 19:13 -----

(1) Mark Grolman/Sydney/DBAustralia/DeuBa@DBAPAC
2007/05/09 19:09

To "Dick Walker" <richard.h.walker@db.com>, janice.reznick@db.com, rachel.blanshard@db.com, jiana.leung@db.com, "Kiyoshi Murakami" <kiyoshi.murakami@db.com>, "Andrew Hume" <andrew.hume@db.com>, "Daiki Kajino" <daiki.kajino@db.com>, "Mr. Tomohiko (Tom) Kimura" <tomohiko.kimura@db.com>
cc
Subject Staff – Privileged & Confidential

PRIVILEGED & CONFIDENTIAL

Below are draft notes of the interview I had with Frank Forelle yesterday.

NEXT STEPS

I suggest for your condsideration that the next steps should be:

(a) we interview Sunil Madan. Tom Kimura has agreed to do that by telephone as soon as possible this week;

(b) when Deepak Moorjani returns to Tokyo from the US next week, we press him again to produce all evidence he has of any alleged violations or wrongdoing. In the two weeks since he was interviewed he has not produced any evidence;

(c) agree a letter to Mr Moorjani in response to his letter. I suggest that this letter be signed by David Hatt as President and CEO of DSI (the employer of Mr Moorjani). David Hatt has been briefed on this matter. I will draft the response letter for your review. Once agreed, that letter should be delivered to Mr Moorjani.

I also propose giving the draft notes of meeting to Frank Forelle to check for accuracy.

Best regards, Mark

Mark Grolman
General Counsel, Australasia & Japan
Deutsche Bank AG, Sydney
Tel: +61 2 8258 1182
Fax: +61 2 8258 1101
E-mail: mark.grolman@db.com

Notes of Interview

Date: 2007.05.08 11:00
Venue: Frank Forelle's Office, 20F
Present: Frank Forelle (CRE)
Mark Grolman (Legal)

1. "Blood brothers" Comment

The allegation made by Mr Moorjani in relation to the "blood brothers" comment was put to Mr Forelle in the context alleged by Mr Moorjani.

Mr Forelle categorically denied having made the "blood brothers" comment to Mr Moorjani.

Mr Forelle confirmed that he did have a conversation with Mr Moorjani shortly after bonuses were communicated in February 2007.

Mr Forelle says that, in this conversation, Mr Moorjani expressed dissatisfaction with his bonus and expressed his expectation, based on conversations he allegedly had with Sunil Madan, that he would have received a bonus in the order of 10 times the amount he actually received.

Mr Forelle says that he told Mr Moorjani that, having worked for the Group for only about four months and earned no revenue, his expectation was wildly unrealistic. Mr Forelle then explained to Mr Moorjani the principles the Group applies of reward for performance and the general structure and usual ranges of compensation in CRE for Directors and Managing Directors.

Mr Forelle says that he told Mr Moorjani that he was not aware of any representations Mr Moorjani alleges Mr Madan made to him and that, unless Mr Moorjani had written commitments on compensation in his employment contract, Mr Forelle did not see how DSI would be bound to any commitment. Quite the contrary, Mr Forelle says that he reminded Mr Moorjani that he had signed an employment contract that said that bonuses were discretionary.

2. Project Contrari

Mr Moorjani's allegation of a firewall breach at a meeting in October 2006 by Mr Madan attending a meeting of DSI CRE staff and taking documents away from that meeting was put to Mr Forelle.

Mr Forelle clearly recalls Project Contrari and was able to produce from his records a presentation book dated November 2006 on Project Contrari. Mr Forelle explained that Project Contrari was the name of a business idea proposed by Mr Moorjani and discussed by DB CRE and DSI CRE staff.

At the time of the alleged meeting Mr Forelle says that he believes (with a high degree of confidence) that the business idea was based exclusively on public information, that no client was involved and, therefore, that no client confidential information could have been involved. On that basis, Mr Forelle cannot see how the alleged meeting or Mr Madan taking documents from that meeting could have amounted to a firewall breach.

3. DB CRE Pipeline Reports

The allegation made by Mr Moorjani that Mr Forelle had received deal pipeline reports from DB CRE which amounted to a firewall breach was put to Mr Forelle.

Mr Forelle says that he has never received such a report and is not aware of such a report existing.

END

Mark Grolman
General Counsel, Australasia & Japan
Deutsche Bank AG

Deutsche Bank Place
Level 16
Cnr Hunter & Phillip Streets
Sydney NSW 2000
Australia
Phone +61 2 8258 1182
Fax +61 2 8258 1101
Email mark.grolman@db.com

Picante

POS Sales Report

Date Range: 10/1/2019 to 10/31/2019
Report Group: Picante
Stores Reporting: 100%

Show Cash OS Calculation?: No | Show Sale Departments?: Yes | Count Metric: Guest | Sort Order: Amount (Desc) | Skip Zero: Yes

Master Sale Department Totals

Name	Net	%	Gross	Comps	Promos	Taxes	Voids
FOOD	382,991.10	84.49%	434,019.14	13,034.35	253.00	35,468.49	2,272.20
NA BEV	27,976.56	6.17%	31,552.70	936.04	9.00	2,588.90	42.20
LIQUOR	22,129.22	4.88%	24,356.59	94.48	0.00	2,047.04	85.85
BEER	17,480.67	3.86%	19,227.48	86.63	0.00	1,615.83	44.35
WINE	1,612.42	0.36%	1,790.00	19.58	0.00	149.00	9.00
RETAIL	1,133.50	0.25%	1,238.40	0.00	0.00	104.90	0.00
Totals:	**453,323.47**	**100.00%**	**512,184.31**	**14,171.08**	**262.00**	**41,974.16**	**2,453.60**

Sale Department Totals

Name	Net	%	Gross	Comps	Promos	Taxes	Voids
FOOD	358,673.44	79.12%	406,721.28	12,662.91	253.00	33,216.33	1,915.60
N/A Beverage 4120	27,838.56	6.14%	31,398.68	936.04	9.00	2,576.13	38.95
Liquor 4140	22,129.22	4.88%	24,356.59	94.48	0.00	2,047.04	85.85
Beer 4130	17,480.67	3.86%	19,227.48	86.63	0.00	1,615.83	44.35
FOOD WB	12,195.49	2.69%	13,682.44	329.46	0.00	1,130.39	27.10
FOOD TG	12,122.17	2.67%	13,615.42	41.98	0.00	1,121.77	329.50
Wine 4150	1,612.42	0.36%	1,790.00	19.58	0.00	149.00	9.00
Retail 6120	1,133.50	0.25%	1,238.40	0.00	0.00	104.90	0.00
NON ALCOHOLIC WB	138.00	0.03%	154.02	0.00	0.00	12.77	3.25
Totals:	**453,323.47**	**100.00%**	**512,184.31**	**14,171.08**	**262.00**	**41,974.16**	**2,453.60**

Daypart Breakdown

Name	Net	%	Gross	Guests	G Avg	Checks	C Avg
Dinner	270,802.07	59.74%	304,001.30	1,631.00	166.03	8,429.00	32.13
Lunch	182,521.40	40.26%	208,183.01	1,481.00	123.24	6,377.00	28.62
Totals:	**453,323.47**	**100.00%**	**512,184.31**	**3,112.00**	**145.67**	**14,806.00**	**30.62**

Order Mode Breakdown

Name	Net	%	Guests	G Avg	Checks	C Avg
Here	328,856.15	70.30%	2,443.00	134.61	10,412.00	31.58
To Go	129,554.35	27.70%	668.00	193.94	4,148.00	31.23
*WEB	8,832.80	1.89%	0.00	0.00	235.00	37.59
Phone IN	567.25	0.12%	1.00	567.25	11.00	51.57
(Unspecified)	(54.00)	-0.01%	0.00	0.00	0.00	0.00
Totals:	**467,756.55**	**100.00%**	**3,112.00**	**150.31**	**14,806.00**	**31.59**

Revenue Center Breakdown

Name	Net	%	Gross	Guests	G Avg	Checks	C Avg
Here	315,638.61	69.63%	359,445.09	2,443.00	129.20	10,412.00	30.31
To Go	128,284.81	28.30%	142,467.29	668.00	192.04	4,148.00	30.93
Web	8,832.80	1.95%	9,652.12	0.00	0.00	235.00	37.59
Phone In	567.25	0.13%	619.81	1.00	567.25	11.00	51.57
Totals:	**453,323.47**	**100.00%**	**512,184.31**	**3,112.00**	**145.67**	**14,806.00**	**30.62**

Miscellaneous

Auto Gratuity	0.00	**Mode Charges**	439.40	**Deposit Tenders**	74,268.93
Surcharges	0.00	**Tip Share**	0.00	**All Tips**	33,510.95
Gift Cert/Card	645.00	**Refunds**	(57.15)	**Paid Outs**	1,791.72
GC Comps	0.00	**Tip Reduction**	0.00	**Theo. Deposit**	38,909.11
GC Promos	0.00	**Commission**	0.00	**Actual Deposit**	38,983.30
External CC	0.00	**Deposit Discrepancy**	0.00	**Calculated Cash O/S**	74.19
Non Sales Rev	0.00	**Refunded Tax**	(3.15)	**Posted Cash O/S**	456.44
No Sale Rings	94.00				

Picante

POS Sales Report

Date Range: 10/1/2019 to 10/31/2019
Report Group: Picante
Stores Reporting: 100%

Show Cash OS Calculation?: No | Show Sale Departments?: Yes | Count Metric: Guest | Sort Order: Amount (Desc) | Skip Zero: Yes

Tenders

Name	Amount
VISA 1140	337,057.15
MC 1140	88,487.00
CASH	74,268.93
AMEX 1140	24,840.00
DISCOVER	3,876.73
E-Card2171	1,153.44
HSE\AC1259	209.83
Non-Redeemed Payment	(0.10)
Totals:	**529,892.98**

Comps

Name	Qty	Amount
Emp Meal 50%	560	4,016.66
Manager 100%	142	1,974.11
Waste Pink Ticket	61	1,759.90
Comp or Goodwill	96	1,643.95
Moving Target	48	942.65
Waste Management	20	721.50
Jim	18	519.02
Gift Cert. X 2	8	392.40
Donations JM.	1	390.00
Fireman	17	371.90
Erick / Carol	23	324.69
Accounting	19	324.55
Emilie	5	209.65
Barbara Macdonald	8	203.55
Police	3	115.65
Brook Buckman Garden	5	93.72
Rob	2	72.90
Lisa Brennes	3	49.88
Other	3	44.40
Totals:	**1,042**	**14,171.08**

Promos

Name	Qty	Amount
Green Comp	26	154.35
G Wrong #	1	62.15
K No Info	1	45.50
Totals:	**28**	**262.00**

Voids

Name	Qty	Amount
Order\nError	466	2,367.85
Didn't\nLike	15	47.00
Other\Reason	9	31.00
Item\n86'd	1	7.75
Totals:	**491**	**2,453.60**

Paid Ins/Outs

Name	Qty	Amount
Art ForSale7435	14	642.06
indpndnt cntrtr	3	600.00
Art Deco 7435	6	333.00
Payroll 1145	1	100.00
To Be Reclass	1	76.00
Automotive7805	1	40.66
Totals:	**26**	**1,791.72**

Surcharges

Name	Qty	Amount
Totals:	**0**	**0.00**

NSR

Name	Qty	Amount
Totals:	**0**	**0.00**

Taxes

Name	Amount
Taxable	41,974.16
Totals:	**41,974.16**

Tax Exempt Sales

Name	Amount
Totals:	**0.00**

Sunday, August 14, 2022

Berkeley Police Department
2100 Martin Luther King, Jr. Way
Berkeley, CA 94704

On August 02, 2022 (two-day advance), James Maser provided notice of a 15-day eviction beginning on August 04, 2022. Previously, James Maser informed me that he would require my absence for only 5 days. I did not feel that I had a choice, because James Maser wants to finish his remodeling project. On August 05, 2022, Jim Maser stated, “I don't want to have to throw your sh1t outside.”

I would like James Maser's contractors to vacate my apartment immediately. James Maser should not have attempted to complete a major, 15-day remodeling job in an occupied apartment. Instead, James Maser should have waited until the apartment was vacant. Based on his actions, James Maser has demonstrated that he does not value my presence, and I expect to vacate the apartment prior to the end of 2022. James Maser should complete his major remodeling work when the apartment is vacant.

I think James Maser is a good man, and I have become fond of him; however, I think he has demonstrated poor behavior in order to finish his remodeling work. Also, I think James Maser has statutory obligations, and I think I have contractual rights.

James Maser and his contractors have violated my terms of entry including (i) my health and safety protocols (i.e. no shoes, mandatory masks) and (ii) my security protocols (i.e. locked premises).

After numerous violations, I posted Terms of Entry on Sunday, August 07, 2022 which stated “Violators will be trespassing. Violators will be required to leave the premises.”

On Sunday, August 07 , 2022 at 8:11pm, James Maser sent a message stating, “Please come by at 7am tomorrow. Thanks.” James Maser should have sent a request, and I think the tone and the content of his message was inappropriate.

On Monday, August 08, 2022, James Maser mischaracterized my Terms of Entry as “aggressive,” and he forced me to remove the Terms of Entry from my front door. During our conversation, James Maser stated (approximately): “I rent this place to you. We have a contract. Our agreement is clear. You cannot speak with my contractors directly.”

Also, James Maser questioned my Health and Safety Protocols; however, he requires employees at Picante Berkeley to wear a mask. Finally, James Maser agreed to comply with my Terms of Entry, and he stated, “I promise.”

- Violations of Healthy and Safety Protocols: On August 08, 2022, James Maser confirmed that he inspected my bedroom and my bathroom. I would like him to confirm that he entered without removing his shoes, despite (i) the signage on the door (“No shoes please”) since mid-July, (ii) my message to him on Saturday, August 06, 2022 and (ii) the Terms of Entry posted on Sunday, August 07, 2022.
- Violations of Healthy and Safety Protocols: On Thursday, August 11, 2022, I met with Jim Maser's contractors to discuss moving my personal belongings. His contractors were neither wearing masks nor wearing booties. Also, James Maser told his contractors that they could leave the windows open at night, but I told them to close the windows upon departing (Note: This violates the Security Protocol).
- Violation of Security Protocols: On Saturday, August 13, 2022, I visited my apartment, but my front door was unlocked - and the key was in the keyhole. Previously, James Maser stated that he would leave the front door unlocked, because he did not have a key. I informed him that this would be unacceptable, and I gave him a key - on approximately August 04, 2022 - to the front door with the stipulation that my front door would be locked when his contractors were absent. I would like James Maser to confirm that he has left the front door unlocked for the entire week, and I want James Maser to indemnify me for any loss.

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https://deepak.pe

a memo from the desk of

Deepak Moorjani

Thursday, October 27, 2022

to: Jennifer W. Sherman, The Edible Schoolyard Project

to: James Maser, Picante Berkeley

cc: Alex Wynaendts, Deutsche Bank

cc: Julia R. Bates, Lucas County Prosecutor

cc: Laura Waters Maser

cc: Summer Stephan, San Diego County District Attorney

subject: Signed Affidavits

This package includes signed affidavits by Frank Forelle (Deutsche Bank) and Steve Adang (Deutsche Bank), and these signed affidavits contain admissions of criminal activity at Deutsche Bank.

Please confirm your possession of these signed affidavits with Alex Wynaendts of Deutsche Bank by November 30, 2022.

Thank you for your kind attention.

. . . . . .

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Thursday, November 17, 2022

a memo from the desk of

Deepak Moorjani

Cease and Desist: Harassment and Intimidation

to: Jennifer W. Sherman, The Edible Schoolyard Project

to: James Maser, Picante Berkeley

cc: Leah Simon-Weisberg, Berkeley Rent Board

James Maser, Picante Berkeley: "I still fight the urge to punch people in the face."

James Maser, Picante Berkeley: "I know how to get rid of people."

On October 08, 2022, Jennifer Sherman and James Maser had a party in their apartment. In the morning, Jennifer Sherman and James Maser cleaned their patio, and they dumped their debris on my patio. Despite my request, James Maser belligerently refused to clean my patio, and James Maser falsely accused me of stealing ("Those are my pots."). James Maser also falsely stated that half of the patio on the second floor was his patio, and James Maser stated "Read your lease."

Jennifer Sherman and James Maser should confirm the following with the Berkeley Rent Board.

1. James Maser, Martin and Fernando repeatedly entered my home after my notification to the Berkeley Police Department.

2. James Maser's October 08, 2022; October 11, 2022; and October 14, 2022 statements are false statements. Author's Note: James Maser's cars remain parked in the gated parking lot, and James Maser is currently using my parking space. I have used this parking space for ~2 years.

3. Jennifer Sherman and James Maser will maintain quiet hours from 10pm to 8am. On countless occasions, Jennifer Sherman and James Maser have disturbed my sleep with the sounds of their [redacted] employee speaker in front of my window, and he should relocate this speaker to the front of the building (facing Sixth Street).

4. On October 16, 2022, Jennifer Sherman and James Maser removed my front door policy notification without my knowledge and without my consent. On October 23, 2022, I notified James Maser (Picante Berkeley) that he should maintain a minimum distance of 10 feet from me. On October 25, 2022, James Maser walked within 1 foot of me.

5. Neither Jennifer Sherman nor James Maser has permission to place any notice on my front door. Jennifer Sherman and James Maser should remove the existing notice and deliver this communication to Leah Simon-Weisberg of the Berkeley Rent Board.

1. https://deepak.pe/20220814-james-maser-picante-berkeley-home-invasion/
2. https://deepak.pe/20221009-jennifer-w-sherman-police-notification
3. https://deepak.pe/20221011-james-maser-picante-berkeley-false-statement/
4. https://deepak.pe/20221014-james-maser-picante-berkeley-false-statement/
5. https://deepak.pe/20221016-jennifer-w-sherman-james-maser-front-door-policy/
6. https://deepak.pe/20221023-jennifer-w-sherman-berkeley-rent-board/
7. https://deepak.pe/20221027-jennifer-w-sherman-signed-affidavits-criminal-activity/
8. https://deepak.pe/20221117-jennifer-w-sherman-berkeley-rent-board/

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Tuesday, December 20, 2022

a memo from the desk of

Deepak Moorjani

Cease and Desist: Harassment and Intimidation

Second Notice

to: Alice Waters, The Edible Schoolyard Project

cc: Jennifer W. Sherman, The Edible Schoolyard Project

cc: James Maser, Picante Berkeley

cc: Rob Bonta, Attorney General

cc: Leah Simon-Weisberg, Berkeley Rent Board

James Maser (Cafe Fanny, Picante Berkeley): "I still fight the urge to punch people in the face."

James Maser (Cafe Fanny, Picante Berkeley): "I know how to get rid of people."

On numerous occasions, Jennifer W. Sherman and James Maser have declined to close the front door of our house. I believe that these actions have been willful.

On Tuesday, December 20, 2022, Jennifer W. Sherman and James Maser left the front door of the house open on multiple occasions.

I would like Alice Waters to inform her employee that the front door of her house should be closed at all times. Jennifer W. Sherman (The Edible Schoolyard Project) has been a full-time resident of the house for most of 2022.

[redacted]
and James Maser's grunting invaded my home at 6:45am.

1. https://deepak.pe/20220814-james-maser-cafe-fanny-picante-berkeley-criminal-trespass/
2. https://deepak.pe/20221009-jennifer-w-sherman-police-notification
3. https://deepak.pe/20221011-james-maser-picante-berkeley-false-statement/
4. https://deepak.pe/20221014-james-maser-picante-berkeley-false-statement/
5. https://deepak.pe/20221016-jennifer-w-sherman-james-maser-front-door-policy/
6. https://deepak.pe/20221023-jennifer-w-sherman-berkeley-rent-board/
7. https://deepak.pe/20221027-jennifer-w-sherman-signed-affidavits-criminal-activity/
8. https://deepak.pe/20221117-jennifer-w-sherman-cease-desist-berkeley-rent-board

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Case Report

Summary

Print Date/Time: 12/28/2022 15:27
Login ID: cob1\sesparza
Case Number: 2022-00059494

ORI Number: Berkeley Police Department CA0010300

Case

Case Number: 2022-00059494
Location: 1300 BLOCK 6TH ST
BERKELEY, CA 94710
Reporting Officer ID: 16079 - Harston

Incident Type: ASSAULT/BATTERY MISD.
Occurred From: 12/20/2022 17:00
Occurred Thru: 12/20/2022 17:20
Disposition:
Disposition Date:
Reported Date: 12/20/2022 17:26 Tuesday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	30	242	Battery with bodily injury	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
SUSPECT							
VICTIM					Other	Male	

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.

Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State

Routing:

☒ BERKELEY POLICE DEPARTMENT

☒ DO NOT DISSEMINATE OR DISTRIBUTE

Information redacted is protected from public disclosure by California Government Code 6254 (f), (k).

a memo from the desk of
Deepak Moorjani

Cease and Desist: Noise and Smoke Pollution

to: Hector Salazar, H&X Builders

cc: Jennifer W. Sherman, The Edible Schoolyard Project

cc: Leah Simon-Weisberg, Berkeley Rent Board

cc: Picante Berkeley, Attention: Jessica, Mario

date: Friday, January 13, 2023

On information and belief, Hector Salazar (License No. 813277) and H&X Builders began intense construction at Picante Berkeley on January 10, 2023.

Neither James Maser nor Picante Berkeley provided advance notice of H&X Builders' construction. Picante Berkeley is located at 1328 Sixth Avenue in Berkeley, California.

H&X Builders' noise and smoke pollution exceeds reasonable levels, and H&X Builders' noise and smoke pollution levels renders my home to be unlivable. I have recorded noise pollution levels on each day of construction.

On January 13, 2023, I was forced to evacuate my home, because the smoke pollution was too intense. I note that Picante Berkeley's water pipes extend into my home, and these water pipes have not been properly installed. There is a hole extending from the floor of my house into the ceiling of Picante Berkeley's ceiling. I believe that this open hole may constitute a health code violation.

Hector Salazar should submit a remediation plan for noise and smoke pollution to the Berkeley Rent Board. If Hector Salazar fails to comply with this cease and desist, then I will file a petition with the Contractors State License Board.

Hector Salazar should review the following information:

1. https://deepak.pe/picante-berkeley-petition-attorney-general/
2. Berkeley Police, Case Number 2022-00059494

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a memo from the desk of

Deepak Moorjani

to: Laura Jean Waters

to: James Maser

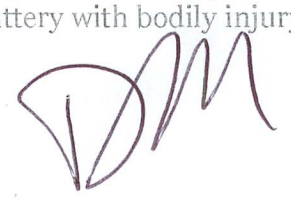
cc: Leah Simon-Weisberg, Berkeley Rent Board

subject: 30-day notice to vacate

date: Saturday, January 28, 2023

This is my 30-day notice to vacate. I will return possession of the property l[redacted], Apartment A, Berkeley, California 94710 on February 28, 2023.

This notice to vacate is made under duress. In the December 20, 2022 Berkeley Police Case Report (2022-00059494), I [redacted] of battery with bodily injury in an incident at my place of residence.



References:

1. Berkeley Police, Case Number 2022-00059494
2. https://deepak.pe/james-maser-rental-agreement/
3. https://deepak.pe/picante-berkeley-petition-attorney-general/
4. https://deepak.pe/hector-salazar-hx-builders-cease-desist/
5. https://deepak.pe/jennifer-w-sherman-petition-berkeley-housing-code-enforcement/

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a memo from the desk of

Deepak Moorjani

Ernesto Jacobo
Environmental Health and Vector Control
City of Berkeley
2180 Milvia Street
Berkeley, CA 94704

to: Ernesto Jacobo, City of Berkeley

cc: Laura Jean Waters

cc: Frank Darling, City of Berkeley

cc: Dave Harston, Berkeley Police

cc: Nathan Dahl, City of Berkeley

subject: Rat infestation at Picante Berkeley complex

date: Wednesday, February 22, 2023

Hi Ernesto,

Thank you for conducting the inspection of Picante Berkeley housing on February 16, 2023 at 10:30am.

Rodent Infestation

I have had rodents on my patio for the tenure of my residency (dating to November 2018). I have pictures of rodents on my patio as early as May 16, 2021.

Ownership

- Note: In Alameda County records, 1328 Sixth Avenue and 1330 Sixth Avenue are considered one parcel. The Picante Berkeley restaurant is located at 1328 Sixth Avenue and 1330 Sixth Avenue. The Picante Berkeley housing is located at 1330 Sixth Avenue (second and third floors).

Laura Jean Waters owns 100% of the economic interest in my residence (Apartment A). James Maser has made the following representations on real property ownership.

- James Maser was having an affair with Barbara [redacted] during his marriage to Laura Jean Waters.
- Laura Jean Waters filed a petition for dissolution on July 28, 2010 in Contra Costa County Superior Court (Family Court, MSD10-03656).

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- Laura Jean Waters has a beneficial interest in 100% of the real property (i.e. a 100% share of the rental income).

- James Maser has a beneficial interest in 100% of the restaurant operations (Maiz Holding Company). Maiz Holding Company has filed "Picante" as a fictitious business name in Alameda County (Alameda County File #526106).

- Alice Waters (Chez Panisse) advised Jennifer W. Sherman against a romantic relationship with James Maser. Alice Waters' Cafe Fanny had a number of minority owners (Alice Waters, Laura Jean Waters, James Maser, Steve Sullivan and Kermit Lynch).

On February 08, 2023, Frank Darling (Housing Inspector, City of Berkeley) asked James Maser about his ownership position of 1330 Sixth Avenue, and James Maser responded, "I own the third floor." [Apartment B].

Note to Laura Jean Waters

Please notify Ernesto Jacobo (City of Berkeley) if there are any errors or omissions in this notification. Also, Ernesto Jacobo characterized the rat infestation as "major," and he stated, "You should be compensated."

On January 17, 2023, I filed a petition with the City of Berkeley's Housing Code Enforcement, and I detailed the holes between the Picante Berkeley housing complex and the Picante Berkeley restaurant operations. On January 26, 2023, James Maser and Hector Salazar (License No. 813277) failed to remedy the holes, and James Maser and Hector Salazar (H&X Builders) failed to notice the rat infestation.

On February 08, 2023, Frank Darling (Housing Inspector, City of Berkeley) discovered holes between the Picante Berkeley housing complex and the Picante Berkeley restaurant operations, and these holes should be detailed in his inspection report.

Given the holes between the Picante Berkeley housing complex and the Picante Berkeley restaurant operations, Ernesto Jacobo stated that he would involve the City of Berkeley's Food Safety and Inspection Program.

Thank you.

References:

1. Berkeley Police Case Number 2022-00059494

2. https://deepak.pe/picante-berkeley-petition-attorney-general/

3. https://deepak.pe/hector-salazar-hx-builders-cease-desist/

4. https://deepak.pe/jennifer-w-sherman-petition-berkeley-housing-code-enforcement/

Note: Special thanks to Officer Dave Harston (Berkeley Police) for encouraging me to work with the Rent Stabilization Board and Housing Code Enforcement. Also, special thanks to Frank Darling (Housing Code Enforcement) for advising me to contact Environmental Health.

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Form **3949-A**
(October 2020)

Department of the Treasury - Internal Revenue Service

Information Referral

(See instructions on reverse)

OMB Number
1545-1960

Use this form to report suspected tax law violations by a person or a business.

CAUTION: READ THE INSTRUCTIONS BEFORE COMPLETING THIS FORM. There may be other more appropriate forms specific to your complaint. (For example, if you suspect your identity was stolen, use Form 14039.)

Section A – Information About the Person or Business You Are Reporting

Complete 1, if you are reporting an Individual. Complete 2, if you are reporting a business only. Complete 1 and 2 if you are reporting a business and its owner. *(Leave blank any lines you do not know.)*

1a. Name of individual	b. Social Security Number/TIN	c. Date of birth
James E. Maser		November 12, 1951

d. Street address	e. City	f. State	g. ZIP code
1330 Sixth Street, Apartment B	Berkeley	CA	94710-1404

h. Occupation	i. Email address
Restaurant (Maiz Holding Company DBA Picante)	jmaserman3@gmail.com

j. Marital status *(check one, if known)*
☐ Married ☐ Single ☐ Head of Household ☒ Divorced ☐ Separated

k. Name of spouse
Laura Jean Waters (formerly Laura J. Maser)

2a. Name of business	b. Employer Tax ID number (EIN)	c. Telephone number
Maiz Holding Company		510.525.3121

d. Street address	e. City	f. State	g. ZIP code
1328 Sixth Street	Berkeley	CA	94710-1407

h. Email address	i. Website
jim.maser@picanteberkeley.com	picanteberkeley.com

Section B – Describe the Alleged Violation of Income Tax Law

3. Alleged violation of income tax law. *(Check all that apply.)*

☐ False Exemption	☐ Unsubstantiated Income	☒ Unreported Income	☐ Failure to Withhold Tax
☐ False Deductions	☐ Earned Income Credit	☐ Narcotics Income	☐ Failure to File Return
☐ Multiple Filings	☐ Public/Political Corruption	☐ Kickback	☒ Failure to Pay Tax
☐ Organized Crime	☐ False/Altered Documents	☐ Wagering/Gambling	☐ Other *(describe in 5)*

4. Unreported income and tax years
Fill in Tax Years and dollar amounts, if known *(e.g., TY 2010- $10,000)*

TY 2018 $ 40,000 TY 2019 $ 40,000 TY 2020 $ 40,000 TY 2021 $ 40,000 TY 2022 $ 40,000 TY 2023 $ 40,000

5. Comments *(Briefly describe the facts of the alleged violation-Who/What/Where/When/How you learned about and obtained the information in this report. Attach another sheet, if needed.)*

Please refer to the Supplementary Statement to IRS Form 3949-A and to the statements delivered in 2023 to law enforcement, Laura Jean Waters, the City of Berkeley, and PG&E.

Petitioner will deliver a copy of this Information Referral to the following parties: (i) California Franchise Tax Board; (ii) Alameda County District Attorney ' s Office;

(iii) Bank of America Corporation; (iv) The Mortgage Capital Development Corporation; (v) Brian M. Wong (PG&E Corporation); (vi) Laura Jean Waters;

(vii) Michael Charles Ferguson (SBN 42797); (viii) Leah Simon-Weisberg (SBN 225954); (ix) Office of the Chief Trial Counsel of the State Bar of California;
(x) Hector Salazar (CLSB #813277); (xi) California Contractors State License Board; (xii) Ashley Rouse (Edible Schoolyard Project); (xiii) Jennifer W. Sherman.

6. Additional information. Answer these questions, if possible. Otherwise, leave blank.
a. Are book/records available? *(If available, do not send now. We will contact you, if they are needed for an investigation.)* ☐ Yes ☐ No
b. Do you consider the taxpayer dangerous ☑ Yes ☐ No
c. Banks, Financial Institutions used by the taxpayer

Name	Name
Bank of America Corporation (Attention: Ms. Lauren Mogensen)	The Mortgage Capital Development Corporation (SBA Loan No. 340 530 6007)
Street address	Street address
100 North Tryon Street	1611 Telegraph Avenue, Suite 504
City: Charlotte; State: NC; ZIP code: 28255	City: Oakland; State: CA; ZIP code: 94612-2253

Section C – Information About Yourself

(We never share this information with the person or business you are reporting.)

This information is not required to process your report, but would be helpful if we need to contact you for any additional information.

7a. Your name	b. Telephone number	c. Best time to call
Deepak Moorjani	confidential	

d. Street address	e. City	f. State	g. ZIP code
531 Lasuen Mall #18685	Palo Alto	CA	94309

Print and send your completed form to: Internal Revenue Service
PO Box 3801
Ogden, UT 84409

a memo from the desk of

Deepak Moorjani

Internal Revenue Service
P.O Box 3801
Ogden, UT 84409

to: Internal Revenue Service, Department of the Treasury

cc: Ashley Rouse, The Edible Schoolyard Project

cc: Laura Jean Waters

cc: Leah Simon-Weisberg (California Bar No. 225954)

subject: Supplementary Statement to Internal Revenue Service Form 3949-A (Information Referral)

date: February 10, 2025

Deepak Moorjani (Petitioner) attaches this Supplementary Statement to IRS Form 3949-A (Information Referral) on James Maser and Maiz Holding Company.

Petitioner is aware that James Maser has a history of prior criminal charges and alleged involvement in drug trafficking. James Maser is also a suspect in a 2022 battery incident at the Picante Berkeley complex, and this may constitute a violation of California Penal Code Section 242. This code defines battery as any willful and unlawful use of force or violence upon another person. (*Reference: Berkeley Police Department, Case Number 022-00059494*)

This Supplementary Statement incorporates the attached notifications delivered in 2023 to law enforcement, Laura Jean Waters, the City of Berkeley, and PG&E Corporation.

1. Notification to the USPS Postal Inspection Service (dated January 31, 2023)
2. Notification to the Laura Jean Waters (dated February 07, 2023)
3. Notification to the Berkeley Police Department (dated February 10, 2023)
4. Notification to the USPS Postal Inspection Service (dated February 10, 2023)
5. Notification to Brian M. Wong and PG&E Corporation (dated February 12, 2023)

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a memo from the desk of

Deepak Moorjani

Criminal Investigations Service Center
Attn: Mail Fraud
433 Harrison Street, Room 3255
Chicago, IL 60699-3255

to: **United States Postal Inspection Service**

cc: Alice Waters

cc: Brian T. Moynihan, Bank of America Corporation

cc: Frank Darling, City of Berkeley

cc: Hector Salazar, H&X Builders

cc: Laura Jean Waters

cc: Nathan Dahl, Berkeley Rent Board

cc: William Whiting

subject: Mail Fraud

date: Tuesday, January 31, 2023

James Maser has represented that James Maser and Maiz Holding Co are committing criminal fraud (address fraud), and James Maser and Maiz Holding Co. are using the mail service in the commission of criminal fraud (address fraud).

Without my permission, James Maser and Maiz Holding Co are using my home address in this continued and ongoing criminal fraud.

James Maser has represented that James Maser and Maiz Holding Co are using my home address as proof of residence for one or more employees. James Maser and Maiz Holding Co are providing falsified address information to PG&E etc. in order to enable one or more of its employees to gain benefits (e.g. enrollment in Berkeley Unified School District).

James Maser's PG&E statements provide documentation. T[redacted], CA 94710 is billed to James Maser, and the PG&E utility bill (Account #1855942244-1) includes the gas and electric service for the only residents in Apartment A and Apartment B (Jennifer Sherman, James Maser and Deepak Moorjani).

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Jennifer Sherman, James Maser and Deepak Moorjani are the only residents of [redacted], Berkeley, CA 94710. However, I have received numerous PG&E bills for one or more Maiz Holding Co employees (e.g. Jessica) in my USPS mailbox at [redacted]

On information and belief, James Maser and Maiz Holding Co have induced one or more employees (e.g. Jessica) to participate in this continued and ongoing criminal fraud with free access to company cars (e.g. CA license #8ZJE996).

On information and belief, James Maser and Maiz Holding Co are intentionally misrepresenting the addresses of Maiz Holding Co employees to the Department of Motor Vehicles and to other institutions.

James Maser confiscated my key to my USPS mailbox subsequent to my August 14, 2022 notification to Officer Dustin Morilles of the Berkeley Police Department.

I believe this criminal activity should be investigated for the following reasons:

1. James Maser is a public figure. (James Maser, ex-Cafe Fanny: "I am a public figure.")

2. James Maser's representations demonstrate fraudulent intent (this criminal activity is knowing and willful).

3. James Maser's motivation is exclusively greed. (James Maser, ex-Cafe Fanny: "I have more money than I'll ever need.")

4. James Maser understands that address fraud is a theft of public resources, since Collette Rae Maser was previously employed in the Berkeley Unified School District.

5. On information and belief, James Maser has gained more than $100,000 in personal benefits from this criminal activity.

6. On information and belief, Jennifer Sherman is knowingly and willingly participating in this criminal activity.

Reference: Berkeley Police, Case Number 2022-00059494

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a memo from the desk of

Deepak Moorjani

to: Laura Jean Waters

cc: Nathan Dahl, Berkeley Rent Board

subject: 30-day notice to vacate

date: Tuesday, February 7, 2023

Hi Laura,

On December 20, 2022, Officer Dave Harston suggested that I you directly, and I would like to have a direct line of communication.

Please contact me at your earliest convenience. I understand that you have received my notice to vacate.

- [redacted]
- [redacted]

Thank you.

References:

1. Berkeley Police, Case Number 2022-00059494
2. https://deepak.pe/james-maser-rental-agreement/
3. https://deepak.pe/picante-berkeley-petition-attorney-general/
4. https://deepak.pe/hector-salazar-hx-builders-cease-desist/
5. https://deepak.pe/jennifer-w-sherman-petition-berkeley-housing-code-enforcement/

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a memo from the desk of

Deepak Moorjani

to: Officer Dave Harston, Berkeley Police Department

cc: Nathan Dahl, Berkeley Rent Board

subject: Criminal Fraud

date: Friday, February 10, 2023

Thank you.

Your feedback was fantastic: “You’re in the loop. He’s baiting you. Stop taking the bait.”

Since December 20, 2022, James Maser baited me on numerous occasions, and your words helped me avoid the bait.

Since my August 14, 2022 statement to Officer Dustin Morilles, James Maser has been intolerable, and I will (i) file for a civil harassment restraining order, and (ii) pursue civil litigation.

Frank Darling (Housing Code Enforcement) conducted an inspection on Wednesday, February 8, 2023, and he found a number of violations - simple (no smoke alarms, no carbon monoxide detector) and complex (holes in my floor directly into the Picante Berkeley restaurant). Frank Darling also asked me to call Environmental Services for a potential rat infestation.

James Maser has represented that he is committing criminal fraud (address fraud), and I would like to file a **police report**. Since he is using the mail service, I have already filed a report with the United Stated Postal Inspection Service (18 U.S.C. 1341).

This criminal fraud will be raised in my court filings. Since I have seen his vengeful side, I do not want James Maser to falsely accuse me of participating in his criminal activity. James Maser has represented that was a drug smuggler early in his work career, and he regularly violated federal drug trafficking laws.

On information and belief, James Maser should be paying higher wages to his employees. However, he believes that his criminal activity (address fraud) will not be prosecuted, and he understands how to avoid criminal liability.

I do not have access to my USPS mailbox at home, but I can be reached a[illegible]

Thank you.

Reference: Berkeley Police, Case Number 2022-00059494

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a memo from the desk of

Deepak Moorjani

Criminal Investigations Service Center
Attn: Mail Fraud
433 Harrison Street, Room 3255
Chicago, IL 60699-3255

to: United States Postal Inspection Service

cc: Nathan Dahl, City of Berkeley

subject: Mail fraud

date: Friday, February 10, 2023

James Maser has represented that James Maser and Maiz Holding Co are committing criminal fraud (address fraud), and James Maser and Maiz Holding Co. are using the mail service in the commission of criminal fraud (address fraud).

Please note that I have reported the criminal fraud (address fraud) to Officer Dave Harston (Badge #107) of the Berkeley Police Department.

James Maser has represented that was a drug smuggler early in his work career, and he regularly violated federal drug trafficking laws. James Maser has represented that he has former colleagues who are serving life sentences.

James Maser has represented that he has faced criminal charges; however, he was able to avoid criminal liability, because he "had a good lawyer."

Thank you.

Reference: Berkeley Police, Case Number 2022-00059494

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a memo from the desk of

Deepak Moorjani

Brian M. Wong
California Bar No. 184126
PG&E Corporation
77 Beale Street, MB B30A
San Francisco, CA 94105

to: Brian M. Wong

cc: Laura Jean Waters

cc: Nathan Dahl, City of Berkeley

re: PG&E Account Account #1855942244-1

subject: Notification of address fraud & mail fraud

date: Sunday, February 12, 2023

James Maser has represented that James Maser and Maiz Holding Co are committing criminal fraud (address fraud), and James Maser and Maiz Holding Co. are using the mail service in the commission of criminal fraud (address fraud).

Please note that the criminal activity involves falsified address information to PG&E. PG&E Account Account #1855942244-1 provides gas and electric service to the only residents of Apartment A and Apartment B (Jennifer Sherman, James Maser and Deepak Moorjani).

Any other persons using this address for their PG&E statements has provided falsified address information to PG&E.

I have filed statements with the Berkeley Police Department and the United States Postal Inspection Service on criminal fraud (address fraud) and mail fraud.

Please send my best wishes to Toni Rembe.

Thank you.

Reference: Berkeley Police, Case Number 2022-00059494

Attachment: United States Postal Inspection Service (dated February 10, 2023)

Attachment: United States Postal Inspection Service (dated January 31, 2023)

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Instructions for Form 3949-A, Information Referral

General Instructions

Purpose of the Form
Use Form 3949-A to report alleged tax law violations by an individual, a business, or both.

CAUTION: DO NOT USE Form 3949-A:

- If you suspect your **identity was stolen.** Use Form 14039. Follow "Instructions for Submitting this Form" on Page 2 of Form 14039.
- To report suspected **misconduct by your tax return preparer.** Use Form 14157. Submit to the address on the Form 14157.
- If your **paid preparer** filed a return or made changes to your return **without your authorization**. Instead, use Form 14157 AND Form 14157-A. Submit both to the address on the Form 14157-A.
- If **you received a notice** from the IRS about **someone claiming your exemption or dependent.** Follow the instructions on the notice. Do not complete Form 3949-A.
- To report an a**busive tax avoidance scheme, promotion,** or a **promoter** of such a scheme. Use Form 14242. Mail or FAX to the address or FAX number on the Form 14242.
- To report misconduct or **wrongdoing by a tax exempt organization** or its officers, directors, or authorized persons. Use Form 13909. Submit by mail, FAX, or email, according to the instructions on the Form 13909.

Have information and want to claim a reward? Use Form 211, Application For Award For Original Information. Mail it to the address in the Instructions for the form.

Specific Instructions

Section A – Provide Information About the Person/Business You Are Reporting, if known.
Provide as much information as you know about the person or business you are reporting.

1. **Complete if you are reporting an individual.** Include their name, street address, city, state, ZIP code, social security number or taxpayer identification number, occupation, date of birth, marital status, name of spouse (if married), and email address. Include as much information as you know.
2. **Complete if you are reporting a business.** Include the business name, business street address, city, state, ZIP code, employer identification number (EIN), telephone number(s), email address, and website, if known.
   Note: Complete both parts if you are reporting a business and its owner.

Section B – Use to Describe the Alleged Tax Law Violation(s)

3. **Check all Tax Violations That Apply to Your Report.**

   False Exemption**-** Claimed persons as dependents they are not entitled to claim.

   False Deductions- Claimed false or exaggerated deductions to reduce their taxable income.

   Multiple Filings- Filed more than one tax return to receive fraudulent refunds.

   Organized Crime- Member of a group of persons who engaged in illegal enterprises such as drugs, gambling, loansharking, extortion, or laundering illegal money through a legitimate business.

   Unsubstantiated Income- Reported false income from an unverifiable source in order to get a false refund.

   Earned Income Credit- Claimed Earned Income Credit which they were not entitled to receive. They may have reported income they did not earn or claimed children they were not entitled to claim.

   Public/Political Corruption- Public official or politician violated laws against using their position illegally for personal gain.

   False/Altered Documents- Changed documents, such as a W-2 or Form 1099, or created fake documents to substantiate a false refund.

   Unreported Income- Received cash or other untraceable payments, such as goods or services, and did not report the income.

   Narcotics Income- Received income from illegal drugs or narcotics.

Kickback- Received illegal payments or kickbacks in exchange for referring the business of a government agency or other business towards a company or for influencing business decisions that result in part of the payment for the business received or service performed being returned to the person who made the referral.

Wagering/Gambling- Did not report income received from wagering or gambling.

Failure to Withhold Tax- Individual or business did not withhold legally owed taxes from income paid to their employee(s), such as Social Security or Medicare taxes. Example: A business treated employees as independent contractors and issued Forms 1099, with no tax withheld, instead of a W-2.

Failure to File Return- Individual or business has not filed returns legally due.

Failure to Pay Tax- Individual or business has not paid taxes legally due.

Other- Describe in 5.

4. **If your report involves unreported income, indicate the year(s) and the dollar amount(s).**
5. **Briefly describe the facts of the alleged tax law violation(s) as you know them. Attach another sheet, if you need more room.**
6. **Additional Information, if known. Attach another sheet, if you need more room.**

Section C – Provide Information about Yourself

7. **Note: Information about yourself is NOT required to process your report, but may be helpful if we need additional information.**

Print and send your completed form to the Internal Revenue Service at:

Internal Revenue Service
PO Box 3801
Ogden, UT 84409

Paperwork Reduction Notice

We ask for the information on this form to carry out the Internal Revenue laws of the United States. This report is voluntary and the information requested helps us determine if there has been a violation of Income Tax Law. We need it to insure that taxpayers are complying with these laws and to allow us to figure and collect the right amount of tax.

You are not required to provide the information on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administrations of any Internal Revenue laws. Generally, tax returns and tax return information are confidential, as required by Code section 6103.

The time required to complete this form will vary depending on individual circumstances. The estimated average time is 15 minutes.

Privacy Act Notice

We are requesting this information under authority of 26 U.S.C. 7801. The primary purpose of this form is to report potential violations of the Internal Revenue laws. The information may be disclosed to the Department of Justice to enforce the tax laws. Providing the information is voluntary. Not providing all or part of the information will not affect you.

Rob Bonta
Attorney General

CONSUMER COMPLAINT AGAINST A BUSINESS/CORPORATION

Collection and Use of Personal Information. The Public Inquiry Unit in the Department of Justice collects the information requested on this form as authorized by Government Code Sections 11180, 11181, and 11182. The Public Inquiry Unit uses this information to review your complaint. In addition, any personal information collected by state agencies is subject to the limitations in the Information Practices Act and state policy. The Department of Justice's general privacy policy is available at http://oag.ca.gov/privacy-policy.

Providing Personal Information. You do not have to provide the personal information requested. If you do not wish to provide personal information, such as your name, home address, or home telephone number, you may remain anonymous. In that case, however, we may not be able to contact you or help resolve your complaint.

Access to Your Information. You may review the records maintained by the Public Inquiry Unit in the Department of Justice that contain your personal information, as permitted by the Information Practices Act. See below for contact information.

Possible Disclosure of Personal Information. In order to follow up on your complaint, we may need to share the information you give us with the party you complained about or with other government agencies.

The information you provide may also be disclosed in the following circumstances:

-With other persons or agencies where necessary to perform their legal duties, and their use of your information is compatible and complies with state law, such as for investigations or for licensing, certification, or regulatory purposes;

-To another government agency as required by state or federal law;

-For law enforcement purposes, including the investigation and prosecution of violations of federal, state or local laws.

Contact Information. For questions about a written comment or complaint that you submitted to the Public Inquiry Unit, please fill-out and submit our online form, available at:

http://oag.ca.gov/contact/general-comment-question-or-complaint-form

Please specify in the "Your Comments" section the specific Public Inquiry Unit record that you are seeking. Or you may mail your request to Analyst, Public Inquiry Unit, Office of the Attorney General, P.O. Box 944255, Sacramento, CA 94244-2550. In addition, if you are seeking records maintained by another Department of Justice program, you should contact that program directly.